

METROPOLITAN BOARD OF HEALTH.

C O D E

OF

HEALTH ORDINANCES,

AND

Rules and Sanitary Regulations.

1866,

And its Amendments.

New-York :

JOHN W. AMERMAN, PRINTER,
No. 47 CEDAR STREET.

1866.



METROPOLITAN SANITARY DISTRICT

OF THE STATE OF NEW-YORK.

AT a meeting of the METROPOLITAN BOARD OF HEALTH, held at its office, at No. 301 Mott-street, in the City of New-York, on the twentieth day of April, 1866.

Said Board does hereby make and adopt the following "Code of Health Ordinances," and make the several "Sanitary Regulations," (in addition to other regulations,) and make and issue the several "Orders" and "Rules" following, (the said orders, rules and sanitary regulations being the several sections of said Code,) and numbered consecutively from section one to section one hundred and sixty-five, inclusive; all as the seventy-fourth chapter of the Laws of 1866 in that behalf provides; and proclamation is made, to wit:

CODE OF HEALTH ORDINANCES.

SECTION 1. That the term "District" and "said District" and "this District," whenever used herein, shall be held to mean the "Metropolitan Sanitary District of the State of New-York;" that the word "Board," "this Board" and "said Board," shall be held to mean the "Metropolitan Board of Health;" that the words "person," "owner," "tenant," "lessee," "occupant," "contractor," "party," "manager," "Board" and "officer," shall respectively be held to apply to and include, both

jointly and severally, each and all owners, part owners, tenants, lessees, occupants, managers, contractors, parties in interest, persons, officers, boards and corporations, who may sustain the relations, or be in like position of any one or more thereof referred to in any ordinance or regulation; that every order, ordinance or regulation declared applicable to the built up portion of New-York or Brooklyn, shall, so far as the subject matter thereof is applicable, (save as to interments,) and this Board has authority to make the same, be held to include and apply to the built up portions of every city and village within said District; that every word or phrase anywhere herein defined shall be held to be used in the same sense wherever used; that the word "regulations" shall be held to include "special regulations;" (which latter will be from time to time issued, and will contain more detailed provisions than can be conveniently herein set forth;) that the word "permit" shall be construed to mean the permission in writing of this Board, issued according to its by-laws, rules and regulations; and that every "report herein required shall be held" to be a report in writing, signed by the person (and indicating his official position) who makes the same; that the word "light" or "lighted" shall be held to refer to natural, external light; and that all words and phrases herein defined shall also include their usual and natural meanings, as well as those herein especially given.

SEC. 2. That no person shall carelessly or negligently do or advise or contribute to the doing of any act or thing dangerous to the life, or detrimental to the health of any human being; nor shall any person knowingly do or advise, or contribute to the doing of any such act or thing, (not actually authorized by law,) except with justifiable motives and for adequate reasons; nor shall any person omit to do any act, or to take any precaution, reasonable and proper, to prevent or remove danger or detriment to the life or health of any human being.

SEC. 3. That no doctor, druggist or other person shall make, sell, put up, prepare or administer any prescription, decoction or medicine under any false, deceptive or fraudulent name, direction or pretence; nor shall any false or deceptive representation be made by any person to any other as to the kind, quality, purpose or effect of any such or other drug, medicine, decoction, drink or other article offered or intended to be taken as food, drink or medicine; save that, for a good cause, and with a proper motive, the facts relative to any article aforesaid may be withheld from persons being under derangement or delusion, or in a feeble state of mind, the same being prudently and properly done for the benefit of such person.

SEC. 4. That no poisonous medicine, decoction or substance shall be held for sale or sold, except for lawful purposes and with proper motives, and by persons competent to give the proper directions and precautions as to the use thereof; nor shall any bottle, box, parcel or receptacle thereof be delivered to any person unless the same is marked poison, nor to any person which the party who delivers the same had reason to think intended it for any illegal or improper use or purpose.

SEC. 5. That no person shall make, offer, or have for sale, or keep at any place of sale, any "poisonous, unwholesome, deleterious or adulterated drugs, drink, medicines or food," or in respect thereto omit any act or thing required, or do any act forbidden by any law or health regulation of this State applicable in any part of this District.

SEC. 6. That no person shall violate the following provision of the § 14 (of the 74th Ch.) of the Health Law of 1866, which is as follows, to wit:

"And it is hereby declared to be the duty of every owner and part owner and person interested, and of

"every lessee, tenant and occupant of or in any place,
 "water, ground, room, stall, apartment, building, erec-
 "tion, vessel, vehicle, matter and thing in said District,
 "and of every person conducting or interested in busi-
 "ness therein or thereat, and of every person who has
 "undertaken to clean any place, ground or street therein,
 "and of every person, public officer and board having
 "charge of any ground, place, building or erection there-
 "in, to keep place, and preserve the same and every part,
 "and the sewerage, drainage and ventilation thereof, in
 "such condition, and conduct the same in such manner
 "that it shall not be dangerous or prejudicial to life or
 "health."

SEC. 7. That the Inspectors of this Board, and its proper
 officers and agents, shall make the inspections and exami-
 nations required by the last mentioned law; that the
 Board of Police do execute and cause to be executed, as
 said law contemplates, all the orders of this Board, unless
 the contrary shall be specially ordered, (including as well
 these orders and the other several orders already and
 those hereafter to be made,) and all persons are hereby
 forbidden to interfere with or obstruct said inspection,
 examination or execution.

SEC. 8. That the Board of Metropolitan Police (and its
 officers and men, as the last named Board shall direct)
 shall promptly advise this Board of all threatened danger
 to life or health, and of all matter thought to demand its
 attention; and all Boards of Health and Health Officers,
 and the Commissioners of Quarantine and the Health
 Officer of the Port of New-York, shall respectively give
 information to this Board concerning any threatened
 danger to the public health, as the § 15, § 16 and § 17 of
 said law contemplates; and said last mentioned Boards
 and officers, and all persons, officers and Boards there-
 in referred to, are hereby required to comply with

the following provision of the § 24 of said Health Law, to wit :

“And it is hereby further made the duty of all persons, officers and Boards to make to said Board of Health the reports and returns, and to give the information and afford to said Board the aid and facilities which by law or ordinance they or any of them were required to make, afford or give to any person, officer or Board, when any powers hereby conferred on said Board of Health were exercised by any other officer or Board.”

SEC. 9. That it shall be the duty of the institution, persons and officers hereinafter referred to, to comply with the directions, (and with any regulation and rule of this Board relative thereto,) contained in the following portion of said last recited (§ 24) section, to wit :

“And said Board is authorized to require reports and information (at such times, and of such facts, and generally of such nature and extent, relating to the safety of life and promotion of health as its by-laws or rules may provide) from all public dispensaries, hospitals, asylums, infirmaries, prisons and schools, and from the managers, principals and officers thereof, and from all other public institutions, their officers and managers, and from the proprietors, managers, lessees and occupants of all theatres and other places of public resort or amusement in said District, &c., &c.; and it is hereby made the duty of the officers, institutions and persons so called on or referred to, to promptly give such information and make such reports, verbally or in writing, as may be required by said Board.”

SEC. 10. That it shall be the duty of all persons and officers therein referred to, to conform to and facilitate the execution of the following provisions of the § 22 of said Law of 1866, to wit :

“ And it is hereby made the duty of all boards, officers
 “ and agents having the control, charge or custody of any
 “ public structure, work, ground or erection, or of any
 “ plan, description, outline, drawing or chart thereof, or
 “ relating thereto, made, kept or controlled under any
 “ public authority, to permit and facilitate the examina-
 “ tion and inspection, and the making of copies of the
 “ same, by any officers or person thereto by said Board
 “ authorized; and the members of said Board, the Sani-
 “ tary Superintendent or assistant aforesaid, any one of
 “ the aforesaid Sanitary Inspectors, and such other officer
 “ or person as may at any time be by said Board author-
 “ ized, may, without fee or hindrance, enter, examine and
 “ survey all grounds, erections, vehicles, structures, apart-
 “ ments, buildings and places in said District, including
 “ vessels of all kinds in the adjacent waters, and all cel-
 “ lars, sewers, passages and excavations of every sort,
 “ and inspect the safety and sanitary condition, and make
 “ plans, drawings and descriptions thereof, according to
 “ the order or regulations of said Board.

“ Said Board may make and publish a report of the
 “ sanitary condition, and the result of the inspection of
 “ any place, matter or thing in said District, &c., &c.

SEC. 11. That every person is required to take notice
 of the following provision of section 14 of the act last
 referred to, to wit:

“ Any member of the police force, and every inspector
 “ or officer of said Board of Health, as the regulations of
 “ either of said Boards may respectively provide relative
 “ to its own subordinates, may arrest any person who shall,
 “ in view of such member or officer, violate, or do or be
 “ engaged in doing, or committing in said District, any
 “ act or thing forbidden by this act, or by any law or
 “ ordinance, the authority conferred by which is given
 “ to said Board of Health, or who shall, in such presence,
 “ resist or be engaged in resisting the enforcement of

“any of said orders of said Board, or of the Board of Police, made pursuant thereto. And any person so arrested shall be thereafter treated and disposed of as any other person duly arrested for a misdemeanor.”

SEC. 12. That no person, officer or Board within said District, (except this Board or its proper officers, and as its regulations shall provide,) shall grant, sign or deliver any Certificate or “Bill of Health.”

N. Y. H.
Laws, p. 41.
Valentine's
Laws N. Y.,
p. 445.

Births, Deaths and Marriages.

SEC. 13. That every clergyman, magistrate and other person who may perform a marriage ceremony, shall make and keep a registry of the marriage celebrated, and therein enter the full names of the parties married, and the residence, age and condition of each: and every physician, midwife and other person who may professionally assist or advise at any birth, shall make and keep a registry of every such birth, and therein enter the time and place, ward and street, number of such birth, and the sex and color of every child born, and the names and residence of each of the parents; (so far as the foregoing facts can be ascertained;) and every physician and professional adviser who has attended any person at a last illness, or has been present by request at the death of any person, shall make and preserve a registry of such death, stating the cause thereof, and specifying the date, hour, place and street number of such death.

Chap. 659,
Laws of
1853.
H. Bill,
§§ 13 and 18.

SEC. 14. That it shall be the duty of every person mentioned in the last section, (or required to make or keep any such register,) to present to this Board a copy of such register, signed by such person, or a written statement, by him signed, of all the facts in said register required to be entered; within five days after the birth or marriage, and within thirty-six hours after the death of any person to whom such registry may or should relate.

SEC. 15. That every clerk, officer and person within said District, required by the one hundred and fifty-second (152) chapter of the Laws of 1847, or by the three hundred and eightieth (380) chapter of the Laws of 1864, to make or preserve any entry, registry, record or certificate, as to births, deaths or marriages, shall send, or cause to be sent, to this Board, within five days after knowledge of the birth, death or marriage, a statement in writing, containing all the particulars in respect thereto, (so far as reasonably ascertainable,) which, in any other section hereof, are required to be stated by any person relative to any birth, death or marriage.

SEC. 16. That every person therein referred to shall perform the acts required in the following provisions of the section 13 of said Health Law of 1866, to wit :

“It shall be the duty of the next of kin of any person deceased, and of each person being with such deceased person at his or her death, and of the person occupying or living in any house or premises in or on which any person may die, and of the parents of any child born in said District, (and if there be no parent alive that has made such report, then of the next of kin of such child born,) and of every person present at such birth, within five days after such birth or death, to report to said Board in writing, so far as known, the date, ward and street number of said birth, and the sex and color of such child born, and the names of the parents, and the age, color, nativity, last occupation, and cause of death of such deceased person, and the ward and street, and place of such person’s death and last residence.”

SEC. 17. That it shall be the duty of all coroners in said District to make return to this Board of all inquisitions by them taken, except when, by law, such inquests are required to be filed elsewhere ; and in any case of an inquest not returned to this Board, it shall be the duty of

the coroner who took the same, within three days after the taking thereof, to file a written statement with this Board, signed by him, stating, so far as he is able, where and upon the body of whom said inquest was held, and the cause, and date and place of the death of such person.

SEC. 18. That it shall be the duty of every person who has discovered or seen the body of a dead human being, or any part thereof, (if there is reason for such person to think that the fact of the death, or the place of such body, or part thereof, is not publicly known,) to immediately communicate to this Board the fact of such discovery of such body, the place where and time when the same was discovered or seen, and where the same is or may be found, and any facts known by which said body may be identified.

Physicians, Diseases, Boarding-House Keepers, &c.

SEC. 19. That the word physician shall include dentists, and every other person who practices about the cure of the sick or injured, or who has the charge of, or professionally prescribes, for compensation, for any person sick, injured or diseased; that the phrase "contagious disease" shall be held to include all persons sick, affected or attacked by or of a disease of an infectious, contagious or pestilential nature, (more especially, however, referring to the cholera, yellow fever, small-pox, ship or typhus fevers, but also,) including any new disease of an infectious, contagious or pestilential nature, and also any other disease publicly declared by this Board dangerous to the public health; and every physician in said District shall at all times cause his or her name, office and residence, and also his or her kind and class of practice to be registered with this Board, and in a manner according to its regulations.

Laws 1863,
Ch. 358, § 11.
Laws 1850,
Ch. 275, tit.
3, § 84.

SEC. 20. That every physician shall report to this Board in writing every person (and the state of his or her

H. Laws N. Y., p. 35, Brooklyn Laws, p. 122, § 5. disease, and his or her place of dwelling and name, if known) which such physician has prescribed for or attended for or having a contagious disease, during any part of the preceding twenty-four hours; but not more than two reports shall be required in one week concerning the same person; and except that one such report to be made daily concerning all the patients at any hospital, asylum or institution shall be sufficient; but every attending or practicing physician thereat must, at his peril, see that such report is or has been made by some attending physician.

H. Laws N. Y., pp. 35, 36. SEC. 21. That every keeper of any boarding-house or lodging-house, and every inn-keeper and hotel-keeper, shall daily report in writing to this Board the same particulars (in the last section required of any physician) concerning any person being at any of the aforesaid houses or hotels affected with any contagious disease.

H. Bill, § 24. SEC. 22. That the commissioners, managers, principal or other proper head officer of each and every public or private institution in said District shall daily report in writing (or cause such report by some proper and competent person to be made daily) to this Board, and state therein the name (if known) and condition and disease of any and every person being thereat, and sick of any contagious disease.

H. Laws N. Y., p. 36, § 12. SEC. 23. That the master, chief officer and consignee, or one of them, of every vessel, (not being in quarantine or within quarantine limits, but) being within one-fourth of a mile of any dock, wharf, pier or building in any city, village or town in said District, shall daily report to this Board, or cause to be reported, in writing, the particulars, and shall therein state the name, disease and condition of any person being in or on such vessel, and sick of any contagious disease.

SEC. 24. That it shall be the duty of every person

knowing of any individual in said District sick of any contagious disease, (which last named person shall have reason to regard such individual as neglected or not properly cared for, to avoid giving said disease to others,) and the duty of every physician hearing of any such sick person, which he shall have reason to think requires the attention of this Board, to at once report the facts to this Board in regard to the disease, condition and dwelling-place or position of such sick person.

H. Laws
N. Y., p. 35.

SEC. 25. That no person shall, within the built up portions of any city or village, without a permit from this Board, carry or remove from one building to any other, or from any vessel to the shore, any person sick of any contagious disease, except that, outside of the built up portions of the Cities of New-York or Brooklyn, such removal from any building may be made pursuant to the written consent of two physicians in regular practice, or of two inspectors of this Board. Nor shall any person, by any exposure of any individual sick of any contagious disease, (or of the body of such person,) or by any negligent act connected therewith, or in respect of the care or custody thereof, or by a needless exposure of himself, cause or contribute to or endanger the spread of disease from any such person or from any dead body.

H. Laws
N. Y., pp.
32, 33, 34.

SEC. 26. That no captain, officer, consignee, owner or other person in charge of any vessel (or having right and authority to prevent the same) shall remove or aid in removing from any vessel to the shore (save as legally authorized by the Health Officer of the port of New-York, and into quarantine grounds or building only) any person sick of, or person that has been exposed to and is liable very soon to develop any contagious disease, nor so remove or aid in removing any articles that have been exposed to the contagion of any such disease, except in accordance with a permit of this Board, or with its special regulations.

Laws
Brooklyn,
pp. 122, 123.
H. Laws
N. Y., p. 36.

Laws
Brooklyn, p.
122, § 6.
II. Laws
N. Y., pp.
35, 36. SEC. 27. That the keeper, lessees, tenants and owners of every boarding-house and lodging-house shall, within six hours after the fact shall come to his or her or their knowledge, notify this Board in writing of the fact of any seafaring man or person lately from any vessel being taken sick at such house, and shall in such notice state where such sick person may be found, and from what vessel, and when he came, to the best of the knowledge of the person giving such notice.

II. Laws
N. Y., p. 31,
§ 5. SEC. 28. That no parent, master or custodian of any minor (having power and authority to prevent) shall permit any such child or minor to be unnecessarily exposed, or to needlessly expose any other person, to the taking or to the infection of any contagious disease.

Vaccination.

H. Bill, § 16. SEC. 29. That every person, being the parent or guardian, or having the care, custody or control of any minor or other individual, shall (to the extent of any means, power and authority of said parent, guardian or other person, that could properly be used or exerted for such purpose) cause and procure such minor or individual to be so promptly, frequently and effectively vaccinated, that such minor or individual shall not take, or be liable to take the small-pox.

Quarantine, and Infected Persons and Property.

Laws 1863,
pp. 580, 585,
§§ 27, 45.
Laws 1857,
p. 832, ch.
412, § 1.
Laws 1863,
ch. 358, § 46.
Laws 1854,
p. 898, § 4.
II. Laws
N. Y., p. 19,
§ 5. SEC. 30. That the Health Officer of the Port of New-York (his assistants and deputies) shall at all times keep this Board informed (by weekly written reports) of the number of vessels in Quarantine, of the number of persons sick in the floating or other hospitals thereat, and of the diseases with which they are severally afflicted; he (and they) shall also receive into the floating hospital all cases of yellow fever found in this District; he (or

they) shall not send or allow to return to the vicinity of any city, village or town in this District, any person, vessel or article which this Board has ordered to Quarantine, without the permit of this Board.

SEC. 31. That no master, charterer, consignee or other person, shall order, bring or allow (having power and authority to prevent) any vessel or person, or article therefrom, from any infected port, nor any vessel, or person or article therefrom liable to quarantine, according to the ninth section of the three hundred and fifty-eighth chapter of the Laws of 1863, (or under any other laws, and whether such quarantine has been made or suffered, or not,) to come or be brought to any point nearer than three hundred yards of any dock or pier, or to any building on the shore of any city or village of said District, without (or otherwise than according to) the permit of this Board. Nor shall any vessel, or person or thing therein or therefrom, (having been in quarantine,) come or be brought within the last named distance of any last named place, without the permit or assent of this Board.

SEC. 32. That no person shall bring into any city, or into any village of this District, from any infected place or land, or take therein from any vessel lately from any infected port, or from any vessel or building in which had lately been any person sick of a contagious disease, any article or person whatsoever, (nor shall any such person land or come into any such village or city without a permit of this Board;) and it shall be no excuse that such person or article so offending, or the occasion of offence, has passed through quarantine, or has a permit from any other source than this Board.

SEC. 33. That every master, charterer, owner, part owner and consignee of any vessel (or of the cargo thereof) which shall be in any water in said District,

Same laws
as last section.

H. Laws
N. Y., pp.
13, 14, 15, 16,
19.

Laws
Brooklyn,
pp. 123, 124.

H. Laws
N. Y., p. 31.
subd. 5.

(unless detained in quarantine,) shall at once give, or cause to be given, to this Board, written notice of any infected article or person, and of every person sick of a contagious disease, being (or having within ten days been) on board said vessel; and also of each and every fact and thing relative to said vessel, sick person or cargo, or to the crew of such vessel, which any of the first mentioned persons shall have reason to think may be useful for this Board to know, or be or become dangerous or prejudicial to life or health in said district.

Cotton.

H. Laws
N. Y., p. 83,
§ 24.

SEC. 34. That every master, owner, charterer, part owner and consignee of any vessel that shall bring any cotton into this District between the first day of May and the first day of November of each year, shall at once report to this Board, or cause to be made in writing a report of the fact of any such cotton being in a dangerous, infected or unsound condition.

Rags, Hides, &c.

H. Laws
N. Y., p. 83,
§ 22.
P. 31, subd.
5.

SEC. 35. That no master, charterer, owner, part owner or consignee of any vessel, or any other person, shall bring to any dock, pier, wharf or building within one thousand feet thereof, in said District, or unload at any dock, building or pier therein, (or have on storage in the built up portion of any city or village of said District,) any skins, hides, rags, or similar articles or materials, having been brought from any foreign country or any infected place, or from any point south of Norfolk, Virginia, without or otherwise than according to a written permit so to do from this Board.

H. Laws
N. Y., p. 31,
subd. 5.

SEC. 36. That every master and chief officer of any vessel, and every physician of, or who practiced on, any vessel which shall arrive in this District from any other

port, shall at once report to this Board any facts connected with any person or thing on said vessel, or that come thereon, which he had reason to think may endanger the public health of this District; and he shall report the facts as to any person being or having been sick thereon of a contagious disease, and as to their being, or having been during the voyage or since her arrival, any infected person or articles.

Of Butchers and Slaughter Houses, and Venders of Meat, Fish and Vegetables.

SEC. 37. That the word meat, whenever herein used, includes every part of any land animal and eggs, (whether mixed or not with any other substance,) and the word fish includes every part of any animal that lives in water, or the flesh of which is not meat, and the word vegetable includes every article of human consumption, as food, which (not being meat, or fish, or milk is held or offered, or intended for sale or consumption, as food for human beings, at any place in said District; and all fish and meat found therein shall be deemed to be therein, and held for such sale or consumption as such food, unless the contrary be distinctly proved.

SEC. 33. The word cattle shall be held to include all animals, except birds, fowl and fish, of which any part of the body is used as food; the word butcher shall be held to include whoever is engaged in the business of slaughtering any cattle; the word "cattle-dealer" shall be held to include every person who is interested or engaged in buying, selling, keeping, driving or slaughtering, or having any cattle in or for sale or consumption in said District; the word "vegetable dealer" shall be held to include every person who is engaged or interested in the business of selling, or offering, or having for sale, as human food, any vegetables in said District; the words

“private market” shall include every store, cellar, stand and place, (not being part of a public market,) at which the business is the buying, selling or keeping for sale, of meat, fish or vegetables for human food.

H. Laws
N. Y., p. 31,
§ 2.
Brooklyn
Laws, p. 15.
H. Bill, § 20.

SEC. 39. That no person shall become, or continue, or engage as, or in the business of, a butcher or cattle dealer, or as a vegetable dealer at or in any public or private market or stand in the cities of New-York or Brooklyn, in said District, without a permit therefor from this Board.

Brooklyn
Laws, p. 354.

SEC. 40. That no meat, fish, birds or fowls, or vegetable, nor any milk, not being then healthy, fresh, sound, wholesome and safe for human food, nor any meat or fish that died by disease or accident, shall be brought within any city or village of said District, or offered or held for sale in any public or private market, as such food, anywhere in said District.

SEC. 41. That no calf, pig or lamb, or the meat thereof, shall be brought, held or offered for sale, as such food, in said District, which, at the date of its death, (being a calf,) was less than four weeks old; or (being a pig) was, when killed, not more than five weeks old; or, (being a lamb,) was, when killed, not more than eight weeks old. Nor shall any meagre, sickly or unwholesome fish, birds or fowls be bought, held, sold, or offered for sale, as such food, in said District.

SEC. 42. That no cattle shall be killed for human food while in an overheated, feverish, or diseased condition; and all such diseased cattle, in the cities of New-York and Brooklyn, and the place where found, and their disease, shall be at once reported to this Board by the owner and custodian thereof, that the proper order may be made relative thereto, or for the removal thereof from said cities.

SEC. 43. The keeping and slaughtering of all cattle, and the preparation and keeping of all meat and fish, birds and fowls, shall be in that manner which is, or is generally reputed or known to be, best adapted to secure and continue their safety and wholesomeness as food.

SEC. 44. That no cattle shall be placed or carried while bound or tied by their legs, or bound down by their neck in any vehicle in any city or village of said District, but shall be allowed freely to stand in such vehicle when transported, and while being therein.

SEC. 45. That no cattle shall be driven in the generally built up portions of either of the cities of New-York or Brooklyn, except between the hours of nine of the evening and one hour after sunrise of the next morning; nor shall more than twenty cattle, or more than one hundred hogs, or more than one hundred sheep be driven together; and they shall be driven in streets and avenues (leading towards their destination) where they will least endanger the lives of human beings.

SEC. 46. That no cattle shall be kept in any place of which the water, ventilation and food is not sufficient and wholesome for the preservation of their health, and safe condition and wholesomeness for food.

SEC. 47. That every butcher, cattle dealer and vegetable dealer, milk dealer and their agents, shall allow the parties authorized by this Board to freely and fully inspect their cattle and meats, fish and vegetables held, offered or intended for sale, and will be expected to answer all reasonable and proper questions asked by such persons relative to the condition thereof, and of the places where such articles may be.

SEC. 48. That it shall be the duty of every person knowing of any fish, meat, fowl, birds or vegetables being

bought, sold or offered, or held for sale, (as food for human beings,) or being in any market, public or private, in said District, and not being sound, healthy or wholesome for such food, to forthwith report such facts, and the particulars relating thereto, to this Board, or to one of its officers or inspectors.

SEC. 49. That no meat or dead animal, above the size of a rabbit, shall be taken to any public or private market for food until the same shall have fully cooled (and all blood shall have ceased dripping therefrom) after its killing, nor until the entrails, head, (unless the same be skinned,) hide, horns and feet shall have been removed. Nor shall any gut, fat, or any unwholesome or offensive matter or thing be brought to or near any such market.

SEC. 50. That no decayed or unwholesome vegetables shall knowingly be brought into said District to be consumed or offered for sale for human food, nor shall any such articles be kept or stored therein at all without permission first obtained of this Board.

SEC. 51. That no person shall, without consent of said Board, bring into said District, (for use as a drink for human beings,) or offer or have for sale in said District as such drink, any unwholesome, poisonous or adulterated or deleterious liquid.

SEC. 52. That no meat, fish, vegetables, or milk or other liquid, shall knowingly be bought, sold, held, offered for sale, labelled (or any representation made in respect thereof) under false name or quality, or as being as what the same is not as respects wholesomeness, soundness or safety for food or drink.

SEC. 53. That no cased, blown, plaited, raised, stuffed, putrid, impure, or unhealthy or unwholesome meat or fish, birds or fowl shall be held, bought or sold, or offered

for sale for human food, or held or kept in any market, public or private, or any public place in said District.

SEC. 54. That every person, being the owner, lessee or occupant of any room, stall or place where any meat, fish or vegetables, designed or held for human food, shall be stored or kept, or shall be held or offered for sale, shall put and keep such room, stall and place, and its appurtenances, in a cleanly and wholesome condition; and every person having charge (or interested or engaged, whether as principal or agent,) in the care, or in respect to the custody or sale of any meat, fish, birds, fowl or vegetables, (designed for human food,) shall put and preserve the same in a cleanly and wholesome condition, and shall not allow the same, or any part thereof, to be poisoned, infected, or rendered unsafe or unwholesome for human food.

SEC. 55. That every butcher and every person owning, leasing or occupying any place, room or building where any cattle have been or are killed or dressed, and every person, being the owner, lessee or occupant of any room, stable (where any cattle may be kept) or market, public or private, and having power and authority so to do, shall cause such place, room, building, stall, (and market, being private,) and their yards and appurtenances, to be thoroughly cleansed and purified, and all offal, blood, fat, garbage, refuse and unwholesome or offensive matter to be therefrom removed, at least once in every twenty-four hours after the use thereof for any of the purposes herein referred to; and shall also, at all times, (unless some public authority prevents,) keep all wood work, save floors and counters in any building, place or premises aforesaid, thoroughly painted or whitewashed.

SEC. 56. That no cattle shall be slaughtered, dressed or hung, or the meat or any part thereof, (within any city of said District,) wholly or partly within any street,

avenue or sidewalk, or public alley or place, nor in any place or position that said killing (or bodies or parts of such animals, when hung and before they have ceased to bleed) shall be in view of any such street, avenue, place or alley, or of the persons who may be therein; nor shall any blood, or dirty water or other substance from such cattle, meat or place of killing, or the appurtenances thereof, be allowed to run, fall or to be in any such street, avenue, sidewalk, alley or place.

SEC. 57. That no building occupied as a slaughter-house shall, (or any part thereof,) without a special permit from this Board, be occupied for any other purpose; that every such building shall at all times be kept adequately and thoroughly ventilated; that no blood shall be allowed to remain therein over night; that adequate underground connections shall be made from every such building with a public sewer, and that all loading and unloading of meat, offal, garbage and cattle thereat shall be wholly within said building, or in rear thereof, and not in view of a street or public place.

SEC. 58. No oysters shall be brought to, or offered or kept for sale in any market-place or building between the first day of June and the first day of September of any year, without a permit from this Board.

H. Laws
N. Y., pp. 33,
34.
Laws
Brooklyn, p.
354 and p.
124.

SEC. 59. That upon any cattle, meat, birds, fowl, fish or vegetables being found by any inspector or other officer of this Board in his opinion in a condition unwholesome and unfit for use as human food, or in a condition or of a weight or quality in these ordinances condemned or forbidden, he shall cause the same to be examined by two reputable persons, reasonably competent to judge in respect thereto, which he may conveniently find; and if both said persons disagree with him in opinion in respect thereto, he shall take no action, and give no order relative to the same, till he has been instructed by the Sani-

tary Superintendent or his assistant; and if one or both of said persons agree with him in respect to said articles, then such inspector or officer may forbid the same being offered or exposed for sale, or being sold, for human food, till the owner or party in charge or other proper person has obtained the consent of the Sanitary Superintendent or of this Board to their being so offered, used or sold. And if both such persons agree with him in opinion, he may order the same to be removed; and thereupon, or if said Superintendent or this Board shall have approved the judgment of said inspector, it shall be the duty of the owner and party in charge to speedily remove such articles from any market, street or public place, and not to sell or dispose, or offer to sell or dispose thereof for the purpose of human food. And in default of such removal, and also in case of disobedience to such order, and also in all cases where, in his opinion, such articles, by reason of their being in a decayed or offensive condition, would, if allowed longer to remain, be dangerous to health, the same (as this Board may provide) may be caused to be removed by any inspector, Police officer, or officer of this Board, to some suitable place, at the expense of the party who should have removed the same, and the owner and party in interest must take notice thereof.

SEC. 60. That neither the business of slaughtering cattle, nor the keeping of any slaughter-house, nor the yarding of cattle, shall be began or undertaken at any new or additional place within the cities of New-York or Brooklyn, except pursuant to a permit from this Board; nor shall any person or corporation keep any slaughter-house or yard, or any cattle therein, after the first day of June, 1866, without a permit from this Board.

Laws
Brooklyn,
pp. 15, 353,
355.

SEC. 61. That no person shall kill or dress any animal or meat in any market, nor have, or permit to escape therein, or within one hundred feet thereof, any poisonous, noxious, nauseous or offensive substance.

SEC. 62. That no butcher or dealer shall keep in any market any refrigerator, ice-box, cask, ice or pickle, unless the same shall be placed in the rear of his stable or stand, and within the limits thereof, nor unless the same shall be lined with lead or some proper metallic substance, so as to be water-tight, nor unless the same be provided with a pipe of lead, zinc or copper leading therefrom to the nearest gutter.

SEC. 63. That no person engaged in the selling or keeping for sale of any fish, meat, birds, fowl or vegetables, shall, without a permit from this Board, occupy or encroach upon any portion of any street or sidewalk, or public place in the City of New-York.

That no person shall, in the built up portion of New-York or Brooklyn, or adjacent thereto, sell or have for sale any fish in or from any vehicle or in any street or public place, from which all parts which are not usually cooked for food have not been removed.

Of Garbage, Ashes, Public Streets, &c.

SEC. 64. That the word "street," when used in these ordinances, shall be held to include avenues, sidewalks, gutters and public alleys; and the words "public place" shall be held to include parks, piers, docks and wharves, and water and open spaces thereto adjacent, and also public yards, grounds and areas, and all open spaces between buildings and streets, and in view of such streets; the word "ashes" shall be held to include cinders, coal, and everything that usually remains after fires; the word "rubbish" shall be held to include all the loose and decayed material and dirt-like substance that attend use or decay, or which accumulates from building, storing or cleaning; the word "garbage" shall be held to include every accumulation of both animal and vegetable matter, liquid or otherwise, that attends the preparation, decay, and dealing in or storage of meats, fish, fowls, birds or

vegetables ; and the word "dirt" shall be held to mean natural soil, earth and stone.

SEC. 65. That no part of the contents of or substances from any sink, privy or cesspool, nor any manure, ashes, garbage, rubbish or dirt, shall be by any person flung or allowed to run or drop into or remain in any street or public place, (except as herein elsewhere specified,) nor shall the same be thrown or allowed to fall or run into the North or East Rivers, nor into any sewer, or save through the proper underground connection.

SEC. 66. That no swill, brine, (urine of animals or other offensive animal nuisance,) nor any stinking, noxious liquid, or other filthy matter of any kind, shall by any person be allowed to run or fall from or out of any building, vehicle or erection, into or upon any street or public place, or be taken or put therein, save as herein elsewhere provided.

SEC. 67. That no person shall deposit upon any street or public place (within the generally built up portion of New-York or Brooklyn) any dirt or brick, or other material, or dirt taken from any ground therein, in such manner as to occupy more than one hundred square feet of surface of any street or place, (and the same shall be compact and at one side,) nor allow the same to remain more than twelve hours, without a permit from this Board, or unless such occupancy shall be otherwise duly authorized by paramount authority.

SEC. 68. That it shall be the duty of every owner, tenant, lessee and occupant of any and every building or place of business in the generally built up portions of the cities of New-York and Brooklyn, within forty days after the publication hereof, to provide or cause to be provided, and at all times thereafter to keep and cause to be kept and provided, within such building or place of business,

H. Laws
N. Y. pp. 121,
122, 124, 125.

H. Laws
N. Y., p. 123.
Laws
Brooklyn, 1
pp. 341, 342.

(or within the area or upon the sidewalk in front of every such building or place of business,) a suitable and sufficient box, barrel or tub, (and several thereof, if needful,) for receiving and holding, without leakage, and without being filled to within four inches of the top thereof, all the ashes, rubbish, garbage, (and liquid substances of whatever kind,) that may accumulate during thirty six hours from said building or place of business, or the portion thereof of which such person may be the owner, tenant, lessee or occupant; and every such box, barrel and tub designed to hold ashes, shall be made of some suitable metal; and all ashes, rubbish, garbage and liquid substances that should be removed from such building and place of business, (or from that part for which said receptacles were provided, and none other, without the proper consent,) shall be daily placed therein before nine o'clock in the forenoon of every day, or shall be retained in said building or place until the proper carts come to take the same away; and no such box, barrel or tub shall remain on any sidewalk or in any public place longer than may be needful for the removal of the contents thereof.

SEC. 69. That such boxes, tubs and barrels shall be placed and kept in such position (unless kept within or upon private grounds, within the sidewalks) as the inspectors or agents of this Board shall provide or the police direct; and no person, not for that purpose authorized, shall interfere therewith, or with the contents thereof.

II. Laws
N. Y., P. 122,
§ 11.

SEC. 70. That all occupants, so preferring, may deliver their ashes, garbage and rubbish directly to the proper carts, to be taken away at any hour of the day when said carts may be present; and said carts may take such articles from receptacles delivered at any such hour; *provided*, that such garbage or rubbish be not highly filthy or offensive; and in the latter case, the

same shall not be so delivered or received during the period from sunrise of any day till ten o'clock of the evening of the same day, without a permit from this Board, or one of its inspectors or officers.

SEC. 71. That no lime, ashes, dry sand, hair, feathers or other substance that is in a similar manner blown by the wind, shall be sieved or agitated or exposed, nor shall any mat, carpet or cloth be shaken, nor any cloth, yarn, garment or material or substance be scoured, cleaned or hung over, nor any business be conducted over or in any street or public place, or where it, or particles therefrom, or set in motion thereby, will be blown into any such street or public place. That neither any usual nor any reasonable precaution shall be omitted by any person to prevent fragments or other substances from falling, to the peril of life, or dust and light material flying into any street, place or building, from any building or erection, while the same is being altered, repaired or demolished.

H. Laws
N. Y., p. 122.

SEC. 72. That every person who shall have payed, or caused to be paved, any street or place, shall cause all rubbish, dirt, and whatsoever else he has deposited, or allowed to be deposited on such pavement, to be removed from the several parts of such pavements within five days from the time of the same being deposited thereon. And every person who has removed any flag-stone, curb-stone, pavement-stone or other stone, or dirt or iron in or from any street, sidewalk or place, for the purpose of repairs, or for the purpose of paving, flagging, or curbing or repairing, re-curbing or re-flagging, or making any repairs or changes, or otherwise, shall cause the same (or a proper substitute therefor) to be placed or replaced and completed as soon as the same can reasonably be done.

H. Laws
N. Y., p. 129.

SEC. 73. That no owner, part owner, tenant or occupant of any building or erection shall allow any part thereof, or any substance therein, or anything thereto at-

tached, and which any such person can control or remove, to continue or remain in a position or condition that shall imperil the life or safety of any person who is or may properly be in any street or place.

SEC. 74. That no person shall take, carry, expose or place (or induce any other person so to do) in or upon any street or public place any substance, animal or thing which shall imperil the life or health of any person who is or may properly be in such street or place.

H. Laws
N. Y., pp.
130, 131, §§
33, 37.

SEC. 75. That no person (being owner, lessee or tenant of any house or building) shall allow any water or other noxious liquid to run from or out of his building, erection or ground, upon or across any sidewalk or curb-stone or public passage, (other than a street,) and if such substance is allowed to pass upon any street it must reach the same by a passage (to be kept at all times adequate and in repair by such person) under or through such flag-stone or curb-stone; and no such water or other liquid, or ice therefrom, shall be allowed to gather or remain on the upper surface of such curb, flag-stone or passage; nor shall such person allow any accumulation of such water or liquid, or the ice therefrom, upon any street or place, but shall, at all times, cause the same to be removed, or to pass along the gutter or some proper passage to one of the rivers or into a sewer.

SEC. 76. That no butchers' offal or garbage, nor any dead animals, nor any putrid or stinking animal or vegetable matter, shall be thrown by any person into any street, place, sewer or receiving basin, or into any standing or running water or excavation, or upon the ground or premises of any other person in said District.

H. Laws
N. Y., p. 163,
§ 18.

SEC. 77. That every person, when cleaning any street, shall clean, and every contractor shall cause to be cleaned, the gutters and parts of the streets along which

the water will run, before using any water to wash the same; and no substance that could be before scraped away shall be washed or allowed to be carried or be put into any sewer, or into any receptacle therewith connected.

SEC. 78. That no person shall throw, or allow to run or pass into any public reservoir, water pipe or aqueduct, or into or upon any border or margin thereof, or excavation or stream therewith connected, any animal, vegetable or mineral substance whatever; nor shall any person allow the same to be done, (having power and right to prevent the same;) nor shall any person do or permit to be done, (having right or power to prevent the same,) any act or thing that will impair or peril the purity or wholesomeness of any water or other fluid used or designed as a drink in any part of said District; nor shall any person bathe, (nor except in the discharge of a public duty, put) any part of his person into such water; nor shall any person open any erection or unscrew any hydrant holding such water.

SEC. 79. That it shall be the duty of every person, officer and Board, having any authority and control in regard to any water designed for human consumption, (and within the proper sphere of the duty of each thereof,) to take all usual and also all reasonable measures and precautions to secure and preserve the purity and wholesomeness of such water.

Sewer Connections and Sewers.

SEC. 80. That it shall be the duty of every person using, making or having any drain, soil pipe, passage or connection between any sewer, (or with either the North or East Rivers,) and any ground, building, erection or place of business, and in like manner the duty of the owner and tenant of all grounds, buildings and erections, (and of the parties interested in such place of business

or the business thereat,) and in like manner the duty of all Boards, officers and persons (to the extent of the right and authority of such) to cause and require that such drain, soil pipe, passage and connection shall at all times be adequate for its purpose, and shall convey and allow freely and entirely to pass whatever enters or should enter the same.

H. Laws N.
Y., p. 162, p.
83, § 25.

SEC. 81. That it shall be the duty of all Boards, officers and persons having power and authority so to do or require, (and to the extent thereof,) to cause to be used sufficient water, and other adequate means to be taken, so that whatever substances may enter any sewer shall pass speedily along and from the same, and sufficiently far into some water or proper reservoir, so that no accumulations shall take place, and no exhalations from thence proceed dangerous or prejudicial to life or health.

H. Laws N.
Y., pp. 162,
163.

SEC. 82. That the proper officers and authorities shall, to the extent of their power and ability, cause the sewers and drainage of all cities and villages in said District to be so well located and constructed, so adequate in size, and to be so kept in repair and cleaned, and so adequately supplied with water, and with such proper arrangements and constructions in every particular, that life and health shall not be needlessly exposed, or suffer unnecessary peril or detriment by their neglect, or by reason of the defects or deficiencies of any sewers or drainage, or the want thereof.

Scavengers, Carts, Privies, Sinks and Cesspools.

H. Laws N.
Y., pp. 80,
89, 102.

SEC. 83. That no person shall engage in the business of a scavenger, or of transporting manure, swill, ashes, offal, rubbish or garbage, or any offensive or noxious substance, (or in driving any cart for such purpose,) in the cities of New-York or Brooklyn, (except the persons

acting under the street cleaning commissioners, or the contractors for cleaning the streets, and as this Board may provide,) until he shall have first received a permit from this Board, of such form and effect as the regulations of the Board shall provide, authorizing such person so to engage.

SEC. 84. That no person shall empty, or attempt to empty, any vault, sink, privy or cesspool in the cities of New-York or Brooklyn, except pursuant to a permit therefor first received from this Board. H. Laws N. Y., p. 83, § 26.

SEC. 85. That no vault, privy, sink or cesspool shall hereafter be made or rebuilt in the cities of New-York or Brooklyn, except in accordance with the regulations, and pursuant to a permission first obtained from this Board; nor shall any erection or cover be made or put upon, or over the same, until the same has been inspected by some person authorized by this board, and been found to correspond to such permit and regulations. H. Laws N. Y., p. 112. Laws Brooklyn, pp. 351, 352.

SEC. 86. That no water-closet, sink, tub, vat or other structure shall hereafter be constructed within either the City of New-York or Brooklyn, (having connection with, or by any sewer or underground passage,) unless the same is provided with adequate, or the best generally approved constructions and precautions for preventing gases and other offensive currents, substances or smells from passing up or out through such connection from such sewer or passage; nor shall any such water-closet or privy be constructed without adequate provisions for the effectual and proper ventilation and cleansing thereof. H. Laws N. Y., pp. 112, 113. Laws Brooklyn, p. 352.

SEC. 87. That no person shall draw off, or allow to run off into any ground, street or place of any city the contents (or any part thereof) of any vault, privy, cesspool or sink; nor shall any owner, tenant or occupant of any

building to which any vault, sink, privy or cesspool shall appertain or be attached, permit the contents, or any part thereof, to flow therefrom, or to rise within two feet of any part of the top thereof, or permit said contents to become offensive.

SEC. 88. That neither the owner, tenant nor occupant of any building or premises, in the built up portions of either the City of New-York or Brooklyn, shall employ, cause or permit any part of the contents of any vault, privy, sink or cesspool (being thereon, and of which he has control) to be removed, unless according to a permit (or the regulations) of the Board.

SEC. 89. That no person shall throw into, or deposit in any vault, sink, privy or cesspool, any offal, ashes, meat, fish, garbage or vegetable substance, except that of which any such place is the appropriate receptacle.

H. Laws N.
Y., pp. 114,
115.

SEC. 90. That every tub or other receptacle in any necessary house, sink or privy, (or placed, or allowed to stand therein by any owner, tenant or occupant of any building or premises, and) used to contain any liquid or partially liquid substance, shall be sufficiently strong, perfectly tight, adequately provided with strong metallic hoops and handles; shall not be allowed to be filled to within four inches of any part of the top, and shall not be allowed (or its contents) to be offensive. And the provisions of these ordinances relative to emptying cesspools, and to throwing any substance therein, shall apply to said tubs and receptacles as if here repeated and applied thereto.

And no person shall throw, drop or allow to fall into the North or East River, or into any street or place, any substance, (being, or having been part of,) the contents of any such vault, cesspool, privy, sink, tub or receptacle.

SEC. 91. That neither the contents of any such tub, receptacle, cesspool, privy, vault, sink or water-closet, nor anything in any room, excavation, vat, building, premises or place, shall be allowed to become a nuisance, or filthy or offensive, so as to be dangerous or prejudicial to life and health.

SEC. 92. That no cart or other vehicle for carrying any offal, swill, garbage or rubbish, or the contents of any privy, vault, cesspool or sink, or having upon it (or in anything on such cart) any manure, or other nauseous or offensive substance, shall, without necessity therefor, stand or remain (nor shall a needless number gather) before or near any building, place of business or other premises where any person may be; nor shall any such cart or vehicle occupy an unreasonable length of time in loading or unloading, or in passing along any street or through any place or ground; nor shall any such cart or vehicle, or the driver thereof, or any thing thereby appertaining, be (or by any person having a right to control the same, be allowed to be) in a condition needlessly filthy or offensive; and when not in use all such carts, vehicles, and all implements used in connection therewith, shall be stored and kept in some place where no needless offence shall be given to any of the people of said District.

SEC. 93. That all carts and vehicles in the last section mentioned, and boxes, tubs and receptacles thereon in which any substance in said section referred to may be or be carried, shall be strong and tight, and the sides shall be so high above the load or contents that no part of such contents or load shall fall, leak or spill therefrom; and that when, in the opinion of this Board, it is necessary to prevent the contents of such carts or vehicles, tubs or boxes or receptacles from being offensive, each of such carts, tubs and boxes and receptacles shall be adequately and tightly covered, as the orders or regulations of this Board may provide or direct.

H. Laws N.
Y., pp. 110,
126, 127.

SEC. 94. That no driver of such cart or vehicle, nor any person having undertaken or being engaged about the loading or unloading thereof, nor person engaged about the cleaning or emptying, or having undertaken to empty or remove any manure, garbage, offal, or the contents of any vault, sink, privy, cesspool, or any noxious or offensive substance, shall do or permit to be done about the same, or in connection therewith, that which shall be needlessly offensive or filthy in respect to any person, street, place, building or premises.

H. Laws N.
Y., p. 124.

SEC. 95. That no person shall allow (and it shall be the duty of every contractor and person who has ordered or procured, or is having any of the following articles carried, or who is driving the same, to prevent) any cart or vehicle to be so fully loaded, or being in such bad condition of repair, or of such faulty construction, or being so improperly driven or managed, that any offensive liquid, or any manure, garbage, rubbish, offal, dirt or material thereon, shall fall upon or in any place, street or premises; and it shall be the duty of every such person to at once replace on such vehicle and remove what has so fallen.

SEC. 96. That all putrid or offensive matter, and all night soil, and the contents of sinks, privies, vaults and cesspools, and all noxious substances in the built up portion of any city, shall, before its removal or exposure, be disinfected and rendered inoffensive by the owner, lessee or occupant of the premises where the same may be, or (in default of the same being so done) by the person or contractor who removes or is about to remove the same; and for all such matter so disinfected and rendered inoffensive, the person (not being such tenant, owner or occupant) who shall so disinfect and remove the same, shall be entitled to demand and receive a compensation of not exceeding twelve cents per cubic foot for making such disinfection and removal, to be paid by any tenant, owner or occupant.

SEC. 97. That every cart and other vehicle hereafter constructed for or engaged about any business, or intended to be loaded with any matter or substance in the last section mentioned, shall be constructed according to these ordinances, and to the regulations and orders of this Board. H. Laws N. Y., pp. 126, 127.

SEC. 98. That the drivers of all carts for the removal of any garbage, offal, rubbish or dirt from any building or premises, shall, by the person owning or having control of the same, be provided with a suitable bell; and said bell shall be rung by said driver or some attendant upon such cart, at the proper time and place, adequately and reasonably loud, to give notice (or otherwise adequate notice shall by such person be given) to those dwelling in any street whose building or premises such cart is about to or should approach for the removal of any substance aforesaid. H. Laws N. Y., p. 135, § 3.

Manure.

SEC. 99. That every owner, lessee, tenant and occupant of any stall, stable or apartment in which any horse, cattle or swine, or any other animal shall be kept, or of any place in which manure or any liquid discharge of such animals shall collect or accumulate, (within the built up portion of any city,) shall daily cause said liquid and manure to be removed to some proper place, and shall at all times keep or cause to be kept such stalls, stables and apartments, and the drainage, yard and appurtenances thereof, in a cleanly and wholesome condition.

SEC. 100. That no pile or deposit of manure, offal, dirt or garbage, nor any accumulation of any offensive or nauseous substance, shall be made within the built up portions of the cities of New-York or Brooklyn, or upon any open space inclosed within any portions thereof, or upon the piers, docks or bulkheads adjacent thereto, or upon any open grounds near (or upon any vessel or scow other H. Laws N. Y., pp. 126, 127, 123.

than those to be speedily, and according to the duty of any person, removed, lying at) any such pier, wharf or bulkhead, except according to a permit obtained from this Board, and according to its regulations. And no person shall contribute to the making of any such accumulations.

Swine.

Laws
Brooklyn,
pp. 354, 355.
H. Laws N.
Y., pp. 108
109. SEC. 101. That no person shall allow any swine to run at large in any city, and no person shall, within the built up portions of any city, or within one thousand feet of any residence or place of business or street thereof, keep any swine, without a permit so to do from this Board.

SEC. 102. That every place where any such swine may be kept shall be kept at all times in a cleanly and wholesome condition.

Cattle.

H. Laws N.
Y., p. 109,
§ 7. SEC. 103. That no cattle, sheep, horse, goat, goose or mule, or any dangerous or offensive animal, shall be allowed by any owner, or by any person having charge of or who should have charge of the same, to go at large in any street or public place in either of the cities of New-York or Brooklyn.

Laws
Brooklyn,
p. 355. SEC. 104. That no cattle, swine or sheep, geese, goats or horses shall be yarded within or adjacent to the built up portions of either of the cities of New-York or Brooklyn without the permit of this Board, or otherwise than according to its regulations.

SEC. 105. That no diseased or sickly horse, cattle, swine, sheep, dog or cat, nor any that have been exposed to any disease that is contagious among such animals, shall be brought into the City of New-York or Brooklyn.

SEC. 106. That every animal which is mad or has the

hydrophobia shall, by the person owning the same, or having the possession, charge or control thereof, be at once killed ; and every animal that has been exposed to such disease, shall be at once confined in some secure place for such length of time as to show that such exposure has not given such animal said disease, and so as to avoid all danger to life or health. And the dead body of any animal that died of such disease shall be at once, by such person, buried not less than three feet under ground, at some place not within one thousand feet of any residence.

Laws
Brooklyn,
p. 356.

Dead Animals, Contractors, &c.

SEC. 107. That no person shall leave in or throw into any place or street or water, nor offensively expose, or bury the body (or any part thereof) of any dead animal in any such street or place ; nor shall any person keep any dead animal or any offensive meat, bird, fowl or fish in such place, as the same may be dangerous to the life or detrimental to the health of any person.

H. Laws N.
Y., pp. 101,
102.

SEC. 108. That any animal, being in any street or public place, within or adjacent to the built up portions of New-York or Brooklyn, and appearing in the estimation of any officer or inspector of this Board (and of two discreet citizens, called by such officer or inspector to view the same in his presence) injured or diseased, past recovery for any useful purpose ; and not being attended and properly cared for by the owner or some proper person to have charge thereof for such owner ; or not having been removed to some private premises, or to some place designated by such officer or inspector within two hours after being found or left in such condition, may be deprived of life by such officer or inspector, or as he may direct, and shall thereafter, unless at once removed by the owner or proper person, be treated as any other dead animal found on a street or place.

SEC. 109. That any person having a dead animal or an animal past recovery, and in an offensive condition, on his premises in any city, (and not killed for, and proper for use as meat or fish,) and every person whose animal, or any animal in his charge or under his control in any street or place, may die or become or be in a condition past recovery, shall at once remove or cause the removal of such animal (dead or alive) to some proper place; and when such place may be designated by any officer or inspector of this Board, to the last named place.

SEC. 110. That no person other than the inspectors or officers of this Board or the Board of Police, or persons thereto authorized, shall in any way interfere with such dead, sick or injured animal in any street or place, and no person shall skin or wound such animal in such street or public place, unless to terminate its life as herein authorized, except that the owner or person having control of such animal may terminate the life thereof in the presence and by the consent of a policeman or an inspector or officer of this Board.

SEC. 111. That it shall be the duty of the owner, and of the person that last had or then having charge of any animal, so dead or injured or diseased, and being in any street or public place, to at once give notice thereof and of the nearest street and avenue where it may be, to some inspector or officer of this Board, or at its principal office in New-York or Brooklyn, in whichever city the animal may be, unless such animal is at once removed therefrom by some proper person.

Docks, Piers, &c., for Offal.

SEC. 112. That the proper and respective authorities of New-York and Brooklyn shall set apart and keep in repair, and furnish the proper docks, piers, bulkheads and accommodations in each city for the use of the contrac-

tors and persons having or that may have any contract or duty of removing offal, garbage, rubbish, dirt, dead animals, night soil, and other filth or substances, as any contract made and to be made, and the laws and ordinances and regulations thereto applicable, shall contemplate or provide. And no person shall obstruct, delay or interfere with the proper and free use thereof and access thereto for the purposes for which they may be and should be set apart and devoted, or with the proper performance of such contracts, or as the same may be modified.

SEC. 113. That it shall be the duty of every contractor and person (their agents and employees) who has contracted or undertaken to remove any diseased or dead animal, offal, rubbish, garbage, dirt, night soil, or other filthy, offensive or noxious substance, or is engaged about any such removal, or in loading or unloading of any such substance, to do the same with dispatch, and in every particular in a manner as cleanly and little offensive and with as little danger and prejudice to life and health as possible.

SEC. 114. That no matter or material in the section last mentioned shall lay piled up, or partially raked together, in any street or place before the removal thereof, more than a reasonable time, nor for more than four hours in the day time, under any circumstances.

Philadel-
phia Rule.
Rep. of 1861,
p. 81.

SEC. 115. That every contractor in these ordinances referred to, and every person who has contracted, or undertakes or is bound to do, or is engaged in doing any one of those things, in respect of which these ordinances contain provisions or regulations, shall comply with these ordinances, to the extent that any contract, obligation or duty requires or permits; and no direction of any contractors or persons shall excuse him for a non-compliance with any of said ordinances.

H. Laws N.
Y., p. 102,
§ 7. SEC. 116. That no ship, boat, or other vessel or article, shall be taken or allowed by any person to come into or lay to or at or within any dock, pier, bulkhead or slip, (or be placed thereon,) set apart or appropriated for the use or purpose of the shipment or removal of any offal, garbage, rubbish, dirt or dead animals, or for the use of any contractor about the removal of any of the foregoing substances, without a permit from this Board.

Oyster Shells.

H. Laws N.
Y., p. 121,
§ 5. SEC. 117. That every proprietor, lessee, tenant and occupant of any oyster house, oyster saloon or other premises where any oysters, clams, lobsters or shell or other fish are consumed, used or sold, or where any of the refuse matter, offal or shells thereof accumulate, shall daily cause all such shells, offal and refuse matter to be removed therefrom to some proper place, and shall keep all such houses and saloons and premises at all times free from any offensive smells or accumulations.

H. Laws N.
Y., p. 121,
§ 5. SEC. 118. That the owners, lessees, tenants and managers of every blacksmith shop, forge, foundry, manufactory and premises where any business is done, shall cause all ashes, cinders, rubbish, dirt and refuse to be removed to some proper place, so that the same shall not accumulate at any of the above mentioned premises, or in the appurtenances thereof, nor the same become filthy or offensive.

Soil, Filth, Vats, &c.

H. Laws N.
Y., p. 143. SEC. 119. That no ground or material filled with offensive matter or substance, or that will emit or allow to arise, through or from the same, any offensive smell or deleterious exhalation, shall (adjacent to or within the built up portion of any city) be opened or turned up, or

the surface thereof removed, between the first day of May and the first day of October of any year, except according to a permit first therefor obtained from this Board.

SEC. 120. That no person shall permit or have any offensive water or other liquids or substance on his premises or grounds to the prejudice of life or health, whether for use in any trade or otherwise; and no establishment or place of business for tanning, skinning or scouring, or for dressing hides or leather, or for carrying on any offensive or noisome trade or business, shall hereafter be opened, started or established in the built up portions of the cities of New-York or Brooklyn, nor elsewhere in said District, near any city or village, without a permit of this Board. And every such establishment now existing shall be kept cleanly and wholesome, and be so conducted in every particular as not to be offensive, or prejudicial to life or health.

Bone Boiling, &c.

SEC. 121. That no person shall boil any offal, swill, bones or fat in the built up portions of any city or village, (save in ordinary cooking;) nor shall the business of bone crushing, bone boiling, bone grinding, bone burning, shell burning, fat boiling, nor the skinning (or making of glue from) any dead animals, (or parts thereof,) nor any other occupation that is dangerous or detrimental to life or health, be hereafter established within any of said cities or villages; nor shall any person work or engage therein, in any such business or occupation; and every such business and pursuit shall be promptly discontinued, unless the continuance thereof shall be allowed by a permit of this Board.

Milk, Butter, &c.

SEC. 122. That no person shall have at any place where milk, butter or cheese is kept for sale, nor at any place

H. Laws N. Y., pp. 143, 144.

H. Laws N. Y., pp. 145, 148.

Laws 1864, ch. 544, p. 1195.

offer or have for sale, nor shall any person bring or send to any city or village any unwholesome, watered or adulterated milk, or milk known as swill milk, or milk from cows (or other animals) that for the most part lived in stables, or that fed on swill, garbage or other like substance; nor any butter or cheese made from any such milk, nor any unwholesome butter or cheese.

Cows.

Brooklyn
Laws, p.355.

SEC. 123. That no person shall keep or allow to be kept in any building, or on any premises, or on grounds of which he may be the owner, lessee, tenant or occupant, more cows or other cattle than at the rate of fifteen to an acre, (in or near the built up portions of any city or village,) without a permit from this Board. And every such person shall cause every stable and place where any cows, horses or other animals may be, to be kept at all times in a cleanly and wholesome condition, and shall not allow any animal to be therein, while infected with any disease contagious or pestilential among such animals, without a permit from this Board.

Snow, Ice and Sidewalks.

H. Laws N.
Y., pp. 140
to 142.

SEC. 124. That every owner, lessee, tenant and occupant of any building or lot in the built up portions of the cities of New-York or Brooklyn, shall, within two hours after the fall of any snow exceeding one inch in depth, and within two hours after the forming of any ice on the sidewalk or in the gutter in front of or against the side of any such building or lot, remove, or cause the same to be removed, from such sidewalk and gutter; or in case of great difficulty in removing such ice, that every such person do sprinkle or cause to be sprinkled thereon sand or ashes, so that travelling thereon shall not be perilous; but that where said snow falls or ice forms between the hours of eight o'clock of the evening and daylight in

the morning, this ordinance will be complied with by removing or sprinkling the same within two hours after sunrise of the morning succeeding its fall or formation.

SEC. 125. That every owner, tenant, lessee and occupant of any building or lot, (whether vacant or occupied,) within or near the built up portions of any city or village, shall keep and cause to be kept the sidewalk and flagging, and curb-stone in front thereof, in good repair and condition; and that every such person shall keep and cause every such sidewalk to be kept free from obstructions, as well as also free from incumbrances that may be a nuisance, and free from all substances of every kind.

SEC. 126. That no person shall take or allow to go or be taken (having the right and ability to prevent the same) any horse or other animal above the size of a dog, nor any vehicle other than a baby vehicle, upon any sidewalk or foot-path in front of any building, or to the peril of any person; nor shall any person block up or obstruct any street or place, or contribute thereto.

Nuisances.

SEC. 127. That no person shall commit or create, or contribute to the commitment or creating of any nuisance, either public or private; nor shall any person (having the right or ability to prevent or remove the same) allow the commitment or erection of or continuance of any nuisance upon any premises or ground, or in any building of which such person is the owner, lessee, tenant or occupant.

Tenement Houses, Boarding Houses, Lodging Houses, Manufactories and Saloons.

SEC. 128. That the phrase "tenement-house" shall be held to include every building, public or private, (and every story and portion thereof,) which is rented, leased, let

or hired out to be occupied for any period (certain or uncertain) as the residence, home or house of any person, or is intended so to be.

The phrase "boarding house" shall be held to include every building (and every story and portion thereof) which is at any time or usually used, leased or occupied (or intended so to be) by any number of persons, exceeding ten, as boarders thereat.

The phrase "lodging house" shall be held to include every building, public or private, (and every story and portion thereof,) which is let at any time or is usually hired, occupied (or intended so to be) as sleeping apartments of any persons, exceeding ten, (not being the owner or lessee thereof;) and the word "manufactory" shall be held to include every building (and every story and portion thereof) in which any sort of labor or work is done, which calls for the continual or usual presence of several persons during several hours of the day or night engaged about said work or labor; and the word "saloons" shall be held to include every portion of any building in which the business of selling meals, liquors, drinks or refreshments of any kind shall be conducted, and includes concert saloons.

H. Laws
N. Y., p. 80,
p. 85, § 11.
Laws
Brooklyn,
p. 122, § 6.

SEC. 129. That no person, being the owner, lessee, tenant or occupant of any building, shall engage in; or permit the conducting therein of the business of keeping a lodging house or saloon, without having first stated to this Board, in writing, the street and number of such building, the name of the owner or owners thereof, and the name of the tenants and persons who conduct or intend to conduct such business thereat, or is about so to do, and the portion of any building so occupied or intended to be, and such other particulars as the regulations of this Board may require.

SEC. 130. That it shall be the duty of every owner and lessee (which lessee holds or took any portion of any

building to be rented or hired out to any other person or persons) of any and every building, and of every room and apartment thereof, occupied as a tenement house, lodging house, boarding house, manufactory or saloon, (and neither such persons shall omit) to have every such building, room or apartment so adequately lighted, ventilated, purified and cleansed, and so provided with all needful drainage and sewerage, that no person occupying or being employed at or in such room, building or apartment shall, through default of a compliance herewith, suffer any effects or incur any hazards, dangerous or prejudicial to life or health.

SEC. 131. That no person, being the manager or keeper of any saloon, boarding house or lodging house, or being employed as a clerk, servant or agent thereat, shall therein or thereat offer or have for food or drink, or to be eaten or drank, any poisonous, deleterious or unwholesome substance, nor allow any thing to be done or to occur dangerous to life or prejudicial to health.

Water Closets.

SEC. 132. That every person who shall be the owner, lessee or keeper or manager of any lodging house, boarding house, tenement house or manufactory, shall provide or cause to be provided for the accommodation thereof, and for the use of the lodgers and boarders and workers thereat, adequate privies or water closets, and the same shall be so adequately ventilated, and shall at all times be kept in such cleanly and wholesome condition as not to be offensive, or be dangerous or deleterious to life or health. And no offensive smell or gasses, from or through any outlet or sewer, (up through any such privy or water closets,) shall be allowed, by any person aforesaid, to pass into such house or any part thereof, or into any other house or building.

SEC. 133. That no owner, lessee or keeper of any tenement house, lodging house, boarding house or manufactory shall cause or allow the same to be overerowed, or cause or allow so great a number of persons to dwell, be or sleep in any such house, or any portion thereof, as thereby to cause any danger or detriment to life or health; nor shall more persons than one for one thousand feet of cubic contents be allowed to sleep in any apartment of any such boarding house, tenement house or lodging house; nor shall more than one person for every one thousand cubic feet of contents be allowed to dwell in any such last mentioned houses. And for the purpose of computing such space, no cellar, nor any closet, hall, cupboard, nor any room not properly lighted and ventilated, nor any room or space not used as a part of the dwelling apartments of the family or other occupant, shall be computed or taken into account.

SEC. 134. That every owner, lessee and tenant and manager of any boarding house, tenant house and lodging house or manufactory shall (with all reasonable dispatch) cause every part thereof and its appurtenances to be put (and shall thereafter cause the same to be kept) in a cleanly and wholesome condition, and shall speedily cause every apartment thereof (in which any person may sleep, dwell or work) to be adequately lighted and ventilated; and (if the same be a manufactory) shall cause every part thereof in which any person may work to be maintained at such temperature, and be provided with such accommodations and safeguards, as not, by reason of the want thereof, or of any thing about the condition of any such manufactory or its appurtenances, to cause unnecessary danger or detriment to the life or health of any person being properly therein or thereat.

SEC. 135. That no owner or lessee of any building, or any part thereof, shall lease or let, or hire out the same, or any portion thereof, to be occupied by any person (or

allow the same to be occupied) as a place in which (or for any one) to dwell or lodge; except when said buildings or any parts thereof are lighted, ventilated, provided and accommodated, and are in all respects in that condition of cleanliness and wholesomeness, for which these ordinances or any law of this State provide, or in which they or either of them require any such premises to be kept. Nor shall any such person rent, let, hire out or allow (having power to prevent the same) to be used as or for a lodging house, tenement house or any building, any portion or apartment of any building, which apartment or portion has not at least one-half of its height and space above the level of every part of the sidewalk and curbstone of any adjacent street, nor of which the floor is damp, (by reason of water from the ground,) or which is impregnated or penetrated by any offensive gas, smell or exhalation prejudicial to health. But this section shall not prevent the leasing, renting or occupancy of cellars or rooms, (less elevated than aforesaid, and as a part of any building rented or let,) when they are not let or intended to be occupied or used by any person as a sleeping apartment, or as a principal or sole dwelling apartment.

SEC. 136. That no person (having the right and power to prevent the same) shall knowingly cause or permit any person to sleep or remain in any cellar, or in any place dangerous or prejudicial to life or health, by reason of a want of ventilation or drainage, or by reason of the presence of any poisonous, noxious or offensive substance or otherwise.

SEC. 137. That no building or any apartment thereof, hereafter built or rebuilt for such purpose, shall be leased, rented or occupied for the purpose of a tenement house, lodging house or boarding house in any city, (if intended or allowed to contain more than twenty boarders,) unless it conform to the foregoing ordinances, nor until the fol-

lowing conditions exist and are fulfilled in respect thereto :

- (1.) Adequate sewerage and drainage of the most approved construction.
- (2.) Adequate and wholesome ventilation of every room in which any person is to sleep or dwell.
- (3.) Adequate chimneys running through every floor, and an open fire-place or grate or stove properly connected with said chimney, to each family and set of apartments.
- (4.) Adequate and well ventilated and sewered or vaulted privies or water closets, so situated and easily preserved in a wholesome condition, as not to become offensive to the inmates of any apartment, or to any persons.
- (5.) The least clear perpendicular space of any story (between the floor and ceiling thereof) to be nine feet.
- (6.) Adequate halls, passages and stair cases, and proper conveniences and receptacles for ashes and rubbish for the use of all the contemplated occupants.
- (7.) A cellar, or an open space beneath the lowest wooden floor and story, of not less than two feet from the lowest part of the beams, and in which space or cellar no water shall stand or can accumulate.
- (8.) An open area in the front and rear of the whole of such building, and extending to the bottom

of such open space, or at least one foot below the lowest floor aforesaid; and said area, not being less than three feet deep (both in front and in rear) of such building, shall be open and unobstructed, except by the entrance, up to the flag-stone and surface at all times.

- (9.) Croton or other water furnished at one or more places on such premises, so that the same may be adequate and reasonably convenient for the use of all the occupants thereof, on their making the usual payments to the proper authorities.
- (10. No appurtenances, or anything therewith connected, that shall peril life or health.
- (11.) The usual and all reasonable precautions and provisions in every other particular, and adequate space for all occupants, so that the occupancy of said building or any apartment shall not be dangerous to life or health.
- (12.) A correct and detailed outline sketch of each story, showing the height of each, the several windows and passages, rooms, and the dimensions of each, to be filed with this Board. And all the provisions of the foregoing sections shall apply, so far as reasonably applicable, to all saloons and manufactories which may be hereafter built or rebuilt.

SEC. 138. That no person shall hereafter erect, or cause to be erected or converted to a new purpose, by alteration of any building or structure, which (or any part of which) shall be inadequate or defective in respect to strength, ventilation, light, sewerage, or of any other usual, proper or necessary provision or precaution; nor shall the builder, lessor, tenant or occupant of any such

Brooklyn
Laws, p. 17,
§ 21.

or of any other building or structure, (within the right or ability of either to remedy or prevent the same,) cause or allow any matter or thing to be or to be done in or about any such building or structure dangerous or prejudicial to life or health. Nor shall any tenement house or lodging house be used as a place of storage.

Interments.

Laws
Brooklyn,
pp. 356, 357,
358.
H. Laws N.
Y., pp. 48,
53, 70, 81, 83,
151 to 154. SEC. 139. That no interments of any dead body of any human being, or disposition thereof in any tomb, vault or cemetery, shall be made either within the City of New-York or Brooklyn, without a permit therefor granted by this Board, nor otherwise than in accordance therewith, and no sexton or other person shall assist in or assent to or allow any such interment, or aid or assist about preparing any grave or place of deposit for any such body, for which such permit has not been given authorizing the same. And it shall be the duty of every person who shall receive any such permit to preserve, and to return the same to this Board, as its regulations may require.

SEC. 140. That no new burying ground, cemetery, tomb or vault for dead bodies shall be established, nor shall the remains of any dead human body be placed in any existing burying grounds, vault, tomb or cemetery, in either of said cities, nor any of said receptacles be opened, exposed or disturbed, except according to the terms of a permit therefor given by this Board; and every body buried in any such place shall be buried to a depth of six feet below the surface of the ground and six feet below any adjacent street.

SEC. 141. That every sexton and other person having charge of any burying ground, cemetery, tomb or vault, in either of said cities, shall, before twelve o'clock of Monday of each week, make return to this Board of the

bodies and persons buried since their last return, and in such form, and specifying such particulars, as the special regulations of this Board shall require.

SEC. 142. That no captain, agent or person having charge of or attached to any ferry-boat, sailing or other vessel, nor any person in charge of any car, stage or other vehicle or public or private conveyance, shall convey or allow to be conveyed (thereon or by any means aforesaid) from or in either the City of New-York or Brooklyn, the dead body (or any part thereof) of any human being, without a permit therefor from this Board. And the proper coupon for that purpose (attached to any such permit when issued) shall be preserved and returned to this Board (as its regulations may require) by the proper officer or person on such boat or vessel, and by the proper person in charge of any train of cars (or vehicle) on which any such body may be carried from either of said cities.

SEC. 143. That no person shall retain, expose or allow to be retained or exposed, the dead body of any human being, to the peril or prejudice of the life or health of any person.

SEC. 144. That no large or church bell shall be rung or tolled at any funeral in either of said cities without a permit therefor from this Board; nor shall such bell be rung or tolled at any other time (therein) to the prejudice or peril of the life or health of any human being.

SEC. 145. That every person who acts as a sexton or undertaker in the City of New-York or Brooklyn, or has the charge or care of any vault, tomb, burying ground or cemetery for the reception of the dead, or where the bodies of any human being is deposited, shall cause his and her name and residence, and the nature of his charge and duties, to be registered with this Board.

Gas.

Valentine's
Laws N. Y.,
p. 1209.
Act 13th
May, 1845.

SEC. 146. That no person or company being a manufacturer of gas, or engaged about the manufacture thereof, shall throw or deposit, or allow to run (or having the right and power to prevent the same, shall permit to be thrown or deposited) into any public waters, river or stream, or into any sewer therewith connected, or into any street or public place, any gas, tar or any refuse matter of or from any gas house, works or manufactory; nor shall any such person or company allow any substance to escape from such house, works or manufactory, (or make any gas of such ingredients or quality that any substance shall escape therefrom or be formed in the process of burning any gas,) which shall be needlessly offensive or dangerous, or prejudicial to life or health.

Fire Arms and Deadly Weapons.

Laws
Brooklyn,
pp. 886
250.

SEC. 147. That no person shall sell, loan or give to, or allow to be taken by any other person, any fire arm, or other deadly or dangerous weapon, when there shall be any reason for such first named person to think or believe that any danger to life may illegally result from the giving, loaning, selling, or from the use of such arm or weapon.

SEC. 148. That no person shall, except according to a permit or the regulations of this Board, set off or fire any gun or other fire arm, or rock blast in any public street, alley or place within the built up portions of any city in said District, unless pursuant to some competent authority.

Drink—Liquors.

SEC. 149. That no person shall sell or give to any other person (or permit such other person to get, having the

right and ability to prevent the same) any intoxicating or exciting drink, when such first named person may have reason to think or believe that such drink may cause or contribute to danger, or detriment to life or health. And no person shall give or sell to any child under twelve years of age any intoxicating liquid or drink.

SEC. 150. That no person shall sell, give away, or keep for sale as a drink or beverage at any building or place in said District any intoxicating or alcoholic fluid or substance, unless and except while the keeping and selling of the same at such place is according to and under a sufficient license for such purpose issued and existing according to law.

SEC. 151. That no distiller, or brewer or other person, shall manufacture, or have or keep for sale any liquid designed as a drink or beverage for human beings which would be, if used, needlessly dangerous or detrimental to life or health, or which is not wholesome, genuine and safe as such drink.

Fighting.

SEC. 152. That no person shall engage in or encourage any fight, or dealing of any blow by any human being in said District; nor shall any person permit such fight, having power and authority to prevent the same.

Horse-racing, Fireworks, Kites, &c.

SEC. 153. That no person shall race, or run any horse or other animal, (or allow the same to be run,) or throw or send up any kite, stone or other substance, or burn or set off any fireworks, fire-crackers or other substance, whereby, or by reason of which, any human life may be put in danger or peril.

Brooklyn
Laws, p. 16.

Explosive Substances.

Laws
Brooklyn,
ch. 16, 189,
337, 338. SEC. 154. That no person shall store, or have in any building or place within the built up portions of any city or village, (except in the State arsenals,) or in any vessel, or in or on the docks, wharves, slips or piers thereof, or load, or have or transport in any vehicle in such city more than twenty-five pounds of gunpowder, without a permit from this Board; nor without such permit shall any person have or keep more than twenty-five pounds of combustible fireworks, explosive fluid or similar materials in any building, vessel or vehicle in any such city.

Prisons.

SEC. 155. That no keeper, or other officer or person having control or authority in any jail, prison or other place where any person may be kept or confined, shall needlessly or illegally cause or allow any peril, or detriment to the life or health of any such person, by reason of too little or too much heat, or of a want of food, drink or ventilation, or from the want or neglect of any other reasonable care, protection or precaution.

Theatres.

SEC. 156. That the term "theatre" shall be held to include the building, rooms and place where any play, concerts, opera, circus, trick of jugglery, show, gymnastic or other exhibition, masquerade, public dance, drill, lecture, address or other public or frequent gathering or amusement, are, is or may be held, given, performed or take place, and the approach and appurtenances thereof.

SEC. 157. That no person, being the lessee, manager, conductor or owner of any theatre, shall cause or permit or allow the same, or any part or appurtenance thereof, to be so far overcrowded, or inadequate, faulty or insufficient, in respect of strength, ingress or egress, cleanli-

ness, ventilation, over or under heating or exposure to drafts, or in any other particular, as that thereby or by reason thereof, any needless peril or detriment shall come or happen to, or be incurred or suffered by, any person being properly at or in any such theatre.

Schools and Churches.

SEC. 158. That no master or teacher, or manager of or in any school, public or private, or of or in any Sunday school or gymnasium, nor the officers or managers thereof, nor officers or managers, or persons having charge of any place of public worship, shall so far omit or neglect any duty or reasonable care or precaution respecting the safety or health of any scholar, pupil or attendant, or respecting the temperature, ventilation or cleanliness or strength of any church, hall of worship, school-house, school-room or place of practice or exercise, or relative to any thing appurtenant thereto, as that by reason of such neglect or omission the life or health of any person shall suffer or incur any needless peril or detriment.

Pounds.

SEC. 159. That no person shall act as or be a keeper of any public pound in the City of New-York, except pursuant to a permit from this Board.

H. Laws N. Y., p. 83.
N. Y. Ordinances, 1859, p. 425.
Brooklyn Laws, p. 335.

That the keepers of all such pounds shall not allow the same, or any animal therein, by reason of any want of care, food, ventilation or cleanliness, or otherwise, to be or become dangerous or detrimental to human life or health.

SEC. 160. That every such pound-keeper shall from time to time report to this Board as its special regulations may require, and shall obey and conform to all such regulations; and that in the meantime such pounds shall (in the particulars not herein mentioned) be regulated

by the rules heretofore enacted by the proper authorities of said cities respectively.

Dogs.

Brooklyn
Laws, pp.
16, 356.
N. Y. Ordina-
nces, 1859,
p. 406.

SEC. 161. That no person shall take or call any dog into, or allow any dog to go into any street or public place, in either the cities of New-York or Brooklyn, unless properly muzzled, or unless when being led by a chain or string; and nothing in this section shall repeal or supersede any existing regulations as to such dogs, not inconsistent herewith.

Manufactories.

Laws
Brooklyn,
p. 356, § 23.

SEC. 162. That no person shall hereafter erect, start or establish in any city in this District (nor in any village, without the consent of this Board) any manufactory or place of business for boiling any varnish or oil, or for the distilling of any ardent or alcoholic spirits, or for making any lampblack, turpentine, or tar, or for conducting any other business that will or does generate any unwholesome, offensive or deleterious gas, smoke, deposit or exhalation, or any business that is or would be dangerous to life or detrimental to health.

Police and General Sanitary Powers.

SEC. 163. That, except as herein specially or otherwise provided, or as may be hereafter provided, or as is otherwise made necessary by the said seventy-fourth chapter of the Laws of 1866, the Board of Metropolitan Police shall (through its proper officers and men, and as near as may be according to its existing regulations, or amendments to be made thereto, on advice with this Board, and subject to the supervision of this Board) carry into effect and exercise the sanitary powers heretofore exercised by said Board of Police; and that said Board of Police shall keep this Board regularly advised

of its action in that behalf, and shall conform to these and all future ordinances, and to all special regulations of this Board.

Special Regulations.

SEC. 164. That every person shall observe and obey each and every special regulation, and every order of this Board that is or may be made, for carrying into effect any of the foregoing ordinances or powers, or any law of this State, or otherwise, whether issued directly by the Board, or promulgated by its Sanitary Superintendent, as if the same had been herein inserted at length.

SEC. 165. That every person who omits or refuses to comply with, or who resists any of the provisions of these rules, orders, sanitary regulations or ordinances, or any of the provisions of said seventy-fourth chapter of the Laws of 1866, or its amendments, or the execution of any order or special regulation of this Board, will be liable to the arrest, penalty, fines and punishment in said law provided and declared ; of all of which notice must be taken.

Made, ordered and proclaimed by "*The Metropolitan Board of Health of the State of New-York*," the day and year first above written.

The above is the Code of Health Ordinances adopted by the Metropolitan Board of Health, and the whole thereof.

April 20, 1866.

[L. s.]

JACKSON S. SCHULTZ,
President.

EMMONS CLARK,
Secretary.

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